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Business and Human Rights: Towards a Common Agenda for Action

A Conference organized by Finland's Presidency of the Council of the EU

Brussels, Monday 2 December 2019

Outline of Agenda *(as at August 2019)*



08:30-09:00

Welcome Coffee/Tea

09:00-09:30

Welcome and Opening Statements

Opening Statements from high-level representatives from Finland and the EU institutions.

09:30-10:15

Keynote by Professor John Ruggie

Keynote by Prof Ruggie, followed by a short, moderated Q&A.

10.15-11:45

I. Promoting Human Rights Due Diligence through State Financing

Note: Each of the three main sessions will be facilitated discussions, led by a moderator with the opportunity for questions from the audience.

A critical way for states to incentivize businesses to respect human rights is through the provision of public financing for private sector investments abroad through development finance, export credit and other forms of support. This discussion will explore the importance of leadership both at the level of individual financing institutions and at the level of government in this area. Questions could include:

- Where do we see leadership from state-based financial institutions in integrating human rights due diligence into their existing environmental and social risk management approaches, and what does this change in practice?
- How can severe risks to human rights defenders in high-risk contexts be better addressed through enhanced due diligence?
- How can governments play a role in bringing greater policy coherence to this area, beyond action by individual financial institutions?
- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

Speakers are likely to include senior representatives from export credit agencies and/or development finance institutions, from EU Member State governments, from civil society, from the EU institutions and from an investor background.

11:45-12:45

Networking and Lunch

12:45-14:15

II. The Role of Regulation in a Mix of Measures to Foster Responsible Business Conduct

From non-financial reporting requirements to supply chain traceability to comprehensive mandatory human rights due diligence legislation, we see a range of approaches to incentivize or require business respect for human rights being adopted or debated at the Member State and EU level. This discussion will explore the role of regulatory measures in the “smart mix” of approaches that the UN Guiding Principles call on governments to adopt. Questions could include:

- What are the different aims of different mandatory initiatives that we see emerging – such as greater transparency, enhanced prevention of impacts, access to remedy?
- What lessons can we learn from what has been tried? What is needed to ensure the effectiveness of regulatory measures in practice, both in changing company behavior and in leading to better outcomes for people on the ground?
- What do leading businesses see when they look at this landscape – what opportunities do they see to move to a level playing field and what concerns do they have?
- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

Speakers are likely to include senior representatives from companies, from EU Member State governments, from civil society and from the EU institutions.

14:15-15:30

III. Using Collective Leverage and Cooperation to Improve Human Rights Outcomes

To address systemic human rights harms deep in global supply chains, we need creative and collaborative approaches to using leverage, involving business, government, international organizations, civil society and others. What have we learnt about what makes cooperation effective between different stakeholders in addressing human rights risks, including in contexts where labor rights are not respected and/or where there are severe risks to human rights defenders?

Questions for discussion could include:

- How can businesses help ensure respect for human rights defenders, especially in high risk countries or countries with weak rule of law?
- What role can human rights (including labor rights) provisions in free trade agreements play, and how can we support more effective implementation of these provisions?
- What steps can governments take to participate in and support these kinds of collective efforts? What about intergovernmental organizations?
- What are appropriate roles for individual Member States in driving this part of the agenda forwards? What are appropriate roles for different EU institutions?

Speakers are likely to include senior representatives from companies, from EU Member State governments, from civil society, from international organizations and from the EU institutions.

15:30-16:00

Coffee/Tea Break

16:00-17:15

Plenary Session: Towards A Common Agenda for Action

The event moderator will facilitate an armchair-style conversation on key components of an agenda for action on the three areas discussed in the conference, and more broadly, to accelerate implementation of the UN Guiding Principles at Member State and EU level. Questions for discussion could include:

- How can we best advance the implementation of a truly smart mix of measures, including government support to business, voluntary measures by business and regulation, at both Member State and EU levels?
- How can we best enhance implementation of existing regulation in countries with weak governance at both Member State and EU levels?
- How can we ensure attention and effort is directed to addressing impacts on those who are most vulnerable to harm, including human rights defenders?

Speakers are likely to include senior representatives from companies, from EU Member State governments, from civil society, from international organizations and from the EU institutions.

17:15-18:00

Presentation of Agenda for Action and Statements of Support

Presentation by high-level representatives from Finland of an “Agenda for Action” and statements of support from other EU Member States.

Formal closing.